

2SSB 6160 - S AMD 600  
By Senator Warnick

ADOPTED 02/12/2018

1        On page 19, line 17, after "(4)" insert "(a) If the court finds  
2 that the respondent who is sixteen or seventeen years old and  
3 committed the offense of robbery in the first degree, drive-by  
4 shooting, rape of a child in the first degree, burglary in the first  
5 degree, or any violent offense as defined in RCW 9.94A.030 and was  
6 armed with a firearm, and the court finds that the respondent's  
7 participation was related to membership in a criminal street gang or  
8 advancing the benefit, aggrandizement, gain, profit, or other  
9 advantage for a criminal street gang, a period of three months total  
10 confinement must be added to the sentence. The additional time must  
11 be imposed regardless of the offense's juvenile disposition offense  
12 category as designated in RCW 13.40.0357 and must be served  
13 consecutively with any other sentencing enhancement.

14        (b) For the purposes of this section, "criminal street gang"  
15 means any ongoing organization, association, or group of three or  
16 more persons, whether formal or informal, having a common name or  
17 common identifying sign or symbol, having as one of its primary  
18 activities the commission of criminal acts, and whose members or  
19 associates individually or collectively engage in or have engaged in  
20 a pattern of criminal street gang activity. This definition does not  
21 apply to employees engaged in concerted activities for their mutual  
22 aid and protection, or to the activities of labor and bona fide  
23 nonprofit organizations or their members or agents.

24        (5)"

25        Renumber the remaining subsection consecutively and correct any  
26 internal references accordingly.

EFFECT: Creates a sentencing enhancement in juvenile court requiring the court to add three months total confinement to a sentence, to be served consecutively, when the court finds the respondent is 16 or 17 years old and committed the offense of robbery in the first degree, drive-by shooting, rape of a child in the first degree, burglary in the first degree, or any violent offense as defined in RCW 9.94A.030 and was armed with a firearm, and the court finds that the respondent's participation was related to membership

in a criminal street gang or advancing the benefit, aggrandizement, gain, profit, or other advantage for a criminal street gang.

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